



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH VAN AALSBURG,

Defendant.

Case No. CR 07 00603 JW

**ORDER DENYING DEFENDANT'S  
MOTION TO CONTINUE SENTENCING**

Upon consideration of Defendant's Motion to Continue Sentencing, the Court DENIES Defendant's Motion for several reasons: First, Defendant's objections to the PSR have been addressed by the Probation Officer in the report. Second, Defendant's contention that an evidentiary hearing is necessary is premature since these objections have not been raised before the Court. Finally, counsel's declaration that he "cannot anticipate what may or may not interfere with the sentencing of [Defendant] on October 13, 2008, [the] date requested," leaves the date for sentencing too open-ended.

Accordingly, the parties shall appear on **September 8, 2008 at 1:30 p.m.** for the scheduled sentencing.

Dated: September 4, 2008

  
JAMES WARE  
United States District Judge